

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF OREGON

MOLLIE C. JONES,

CV 04-6195-HU

Plaintiff,

ORDER

v.

JO ANNE B. BARNHART,
Commissioner, Social Security
Administration,

Defendant.

ALAN STUART GRAF
KIMBERLY K. TUCKER
1020 S.W. Taylor Street, Suite 230
Portland, OR 97205
(503) 452-2375

Attorneys for Plaintiff

KARIN IMMERGUT
United States Attorney
NEIL EVANS
Assistant United States Attorney
1000 S.W. Third Avenue, Suite 600
Portland, OR 97204
(503) 727-1000

LUCILLE G. MEIS

Regional Chief Counsel

RICHARD RODRIGUEZ

Special Assistant United States Attorney

Social Security Administration

701 Fifth Avenue, Suite 2900 MS/901

Seattle, WA 98104-7075

(206) 615-3748

Attorneys for Defendant

BROWN, Judge.

Magistrate Judge Dennis James Hubel issued Findings and Recommendation (#16) on May 19, 2005, in which he recommended this Court reverse the Commissioner's decision and remand for the determination and payment of benefits. The matter is now before this Court pursuant to 28 U.S.C. § 636(b)(1)(B) and Fed. R. Civ. P. 72(b).

Because no objections to the Magistrate Judge's Findings and Recommendation were timely filed, this Court is relieved of its obligation to review the record *de novo*. *Britt v. Simi Valley Unified School Dist.*, 708 F.2d 452, 454 (9th Cir. 1983). See also *Lorin Corp. v. Goto & Co.*, 700 F.2d 1202, 1206 (8th Cir. 1983). Having reviewed the legal principles *de novo*, the Court finds no error.

CONCLUSION

The Court **ADOPTS** Magistrate Judge Hubel's Findings and Recommendation (#16). Accordingly, the Court **REVERSES** the

Commissioner's decision and **REMANDS** this matter pursuant to sentence four of 42 U.S.C. § 405(g) to the Commissioner for the determination and payment of benefits consistent with the findings of this Court.

IT IS SO ORDERED.

DATED this 27th day of July, 2005.

/s/ Anna J. Brown

ANNA J. BROWN
United States District Judge

Jones CV 04-6195 F&R 07-27-05.wpd

